

Message Text

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PAGE 01 OSLO 02723 01 OF 02 091246Z
ACTION EUR-12

INFO OCT-01 IO-14 ISO-00 OES-07 DLOS-09 L-03 INR-07
SS-15 NSC-05 EB-07 OMB-01 TRSE-00 /081 W
-----091325Z 000385 /42 L

R 091049Z JUN 77
FM AMEMBASSY OSLO
TO SECSTATE WASHDC 3880
INFO AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY COPENHAGEN
AMEMBASSY HELSINKI
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY REYKJAVIK
AMEMBASSY STOCKHOLM
USMISSION USUN NEW YORK
USMISSION NATO BRUSSELS

UNCLAS SECTION 1 OF 2 OSLO 2723

E.O. 11652: N/A
TAGS: EFIS, PFOR, SV, NO
SUBJECT: FOREIGN MINISTER'S STATEMENT TO PARLIAMENT ON SVALBARD FISHERY

PRESERVATION ZONE

REFS: (A) OSLO 2662 (NOTAL) (B) 76 OSLO A-193 (C) STATE 128434
(D) OSLO 2722

SUMMARY: DURING STARTING FOREIGN POLICY DEBATE, FOREIGN MINISTER
OUTLINED TO PARLIAMENT GOVERNMENT'S POSITION ON SVALBARD FISHERY
PROTECTION ZONE (FPZ) WHICH IS ESTABLISHED EFFECTIVE JUNE 15. POINTING

OUT THAT THE ZONE'S REGIME WOULD BE NON-DISCRIMINATORY, FRYDENLUND
TOLD PARLIAMENT IT WAS THE GOVERNMENT'S VIEW THAT THE SVALBARD
TREATY DOES NOT APPLY TO THE ZONE, NOR DOES IT AFFECT NORWAY'S
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PAGE 02 OSLO 02723 01 OF 02 091246Z

VIEW THAT THE TREATY DOES NOT APPLY TO THE CONTINENTAL SHELF. HE
SAID THE GON COULD HAVE ESTABLISHED A ZONE GIVING PRIORITY
TO NORWEGIAN FISHERMEN BUT AT PRESENT CHOSE NOT TO DO SO.
HE SAID NORWAY WILL CONSULT WITH OTHER NATIONS BEFORE
IMPLEMENTING REGULATIONS AND THAT THE GON EXPECTS NORWAY'S
LEGAL VIEW THAT THE SVALBARD TREATY DOES NOT APPLY TO THE
FPZ WILL BE DISPUTED. THE STATEMENT ON THE ZONE AROUSED

LITTLE SUBSTANTIVE DISCUSSION IN THE STORTING DEBATE AND THE GON'S POSITION GAINED BROAD GENERAL SUPPORT. END SUMMARY.

1. IN THE SPRING STORTING DEBATE JUNE 6 FOREIGN MINISTER FRYDENLUND INTERVENED TO GIVE THE FOLLOWING STATEMENT TO PARLIAMENT ON THE GOVERNMENT'S JUNE 3 ROYAL DECREE ESTABLISHING A 200-MILE FISHERY PROTECTION ZONE AROUND SVALBARD:

BEGIN TEXT: "BY ROYAL DECREE OF JUNE 3 A 22-MILE FISHERY PROTECTION ZONE WAS ESTABLISHED OFF SVALBARD. THE DECREE INTRODUCES AN OBLIGATION FOR ALL VESSELS WHICH ARE ENGAGED IN FISHERY IN THE ZONE TO SUBMIT CATCH REPORTS, AND THE DECREE EMPOWERS THE MINISTRY OF FISHERIES TO PRESCRIBE PRESERVATION ZONES, GEAR REGULATIONS AND TOTAL QUOTAS FOR EACH FISH SPECIES.

"THESE MEASURES SHALL BE ENFORCED EQUALLY FOR ALL VESSELS ENGAGED IN FISHING IN THE ZONE, BOTH NORWEGIAN AND FOREIGN.

"BEFORE THE REGULATION MEASURES ARE PUT INTO EFFECT, CONSULTATIONS WILL BE CONDUCTED WITH THE STATES CONCERNED, PRIMARILY THE SOVIET UNION AND EC.

"IN CONNECTION WITH ESTABLISHMENT OF AN ECONOMIC ZONE OR FISHERY ZONE OFF SVALBARD DIFFERENT QUESTIONS HAVE BEEN RAISED AS TO THE RELATION TO THE SVALBARD TREATY. THESE QUESTIONS HAVE BEEN STUDIED BY AN INTER-DEPARTMENTAL COMMITTEE WITH DIRECTOR GENERAL EILASSEN, THE MINISTRY OF FOREIGN AFFAIRS, AS CHAIRMAN.

"THE GOVERNMENT CONSIDERS IT INDUBITABLE THAT NORWAY HAS THE RIGHT TO ESTABLISH AN ECONOMIC ZONE OR A FISHERY ZONE OFF SVALBARD. SVALBARD IS UNDER NORWEGIAN SOVEREIGNTY AND UNCLASSIFIED

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PAGE 03 OSLO 02723 01 OF 02 091246Z

THERE EXISTS NO RULE EITHER IN GENERAL INTERNATIONAL LAW OR IN THE SVALBARD TREATY WHICH RESTRICTS THE RIGHT TO ESTABLISH A ZONE OUTSIDE THIS PART OF THE REALM.

"IT IS FURTHERMORE THE GOVERNMENT'S VIEW THAT ARTICLE 2 OF THE SVALBARD TREATY WHICH PROVIDES THAT ALL NATIONALS OF THE SIGNATORY POWERS SHALL HAVE EQUAL RIGHTS TO FISHING AND HUNTING IN THE TERRITORIAL WATERS OF SVALBARD DOES NOT APPLY IN A ZONE OUTSIDE THE TERRITORIAL WATERS, AND THAT NORWAY CONSEQUENTLY IS ENTITLED TO ESTABLISH A ZONE WITH PRIORITY FOR NORWEGIAN FISHERMEN.

"THE GOVERNMENT HAS FOUND THAT IT WILL NOT FOR THE PRESENT AVAIL ITSELF OF THE RIGHT TO ESTABLISH A ZONE WITH SUCH PRIORITY, BUT INSTEAD HAS ESTABLISHED A ZONE ON A NON-DISCRIMINATORY BASIS FOR TWO MAIN REASONS: IN THE FIRST PLACE, THE OBJECTIVE OF A REGULATION OF THE FISHERY IN THE SEA AREAS OFF SVALBARD AT THE PRESENT TIME IS PRIMARILY TO GET CONTROL OF AND LIMIT THE FISHING OPERATIONS IN THE AREA IN ORDER TO CONSERVE THE RESOURCES AND TO AVOID OVERFISHING. FOR THIS PURPOSE IT IS SUFFICIENT

THAT THE FISHING THE REGULATED BY RULES WHICH DO NOT INVOLVE
ANDY DISCRIMINATION BETWEEN NORWEGIAN AND FOREIGN FISHERMEN.
"AND SECONDLY, WE MUST EXPECT THAT NORWAY'S FUNDAMENTAL
VIEW THAT THE SVALBARD TREATY PROVISION ON EQUAL RIGHTS TO
ENGAGE IN FISHING IS NOT APPLICABLE TO THE ZONE WILL BE
DISPUTED, AND THAT ESTABLISHMENT AT THE PRESENT TIME OF A
ZONE WITH PRIORITY FOR NORWEGIAN FISHERMEN THEREFORE COULD
LEAD TO A CONFRONTATION WITH SOME OTHER SIGNATORY PARTIES.
THAT WOULD HARDLY BE IN NORWAY'S INTEREST.

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PAGE 01 OSLO 02723 02 OF 02 091312Z

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UNCLAS SECTION 2 OF 2 OSLO 2723

"FOR THE RECORD, I WOULD LIKE TO STRESS THAT THE GOVERNMENT
ALSO MAINTAINS THE FUNDAMENTAL NORWEGIAN VIEW OF THE CONTINENTAL
SHELF OFF SVALBARD, NAMELY THAT THE SVALBARD TREATY PROVISION
ON EQUAL RIGHT TO ENGAGE IN MINING ACTIVITY IS NOT APPLICABLE
TO THE SEA BED OUTSIDE THE TERRITORIAL WATERS.

"THAT THE GOVERNMENT AT PRESENT DOES NOT FIND IT NECESSARY
OR EXPEDIENT TO AVAIL ITSELF FULLY OF THE RIGHT TO ESTABLISH
A FISHERY ZONE OFF SVALBARD WITH PRIORITY FOR NORWEGIAN
FISHERMAN NATURALLY DOES NOT CHANGE THIS FACT.

"THE SEA AREAS AROUND SVALBARD ARE OF IMMENSE IMPORTANCE TO
THE FISHERIES, BOTH AS AREAS FOR THE GROWTH AND FOR THE
FISHING OF SEVERAL FISH SPECIES. AT THE SAME TIME THIS

IS NOW THE ONLY FISHING GROUND OF SIGNIFICANCE IN THE
NORTH ATLANTIC WHERE NATIONAL REGULATION ARRANGEMENTS
FOR FISHERY HAVE NOT BEEN IMPLEMENTED. IT IS, THEREFORE,
NOW NECESSARY TO IMPLEMENT REGULATION IN THIS AREA IN
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PAGE 02 OSLO 02723 02 OF 02 091312Z

ORDER TO CONSERVE THE RESOURCES AND AVOID OVER-FISHING.
AS I SAID IN MY STATEMENT TO THE STORTING DECEMBER 13 LAST
YEAR, THE GOVERNMENT'S DECISION IN THE QUESTION OF SELECT-
ION OF SOLUTION FOR THE EXTENSION OF NORWEGIAN FISHERY
JURISDICTION IN THE SEA AREAS OFF SVALBARD MUST BE BASED
ON A WEIGHING OF A NUMBER OF DIFFERENT CONSIDERATIONS.
I WOULD LIKE TO MENTION IN THIS CONNECTION THE INTERPRETA-
TION OF THE SVALBARD TREATY, THE NEED TO PROTECT THE FISH
RESOURCES, NORWAY'S VIEW OF THE SHELF, THE SECURITY-POLITICAL
SIGNIFICANCE IN THE AREA, AND THE REACTIONS OF FOREIGN
STATES. NO SOLUTION WOULD HAVE BEEN WITHOUT PROBLEMS. BUT
IT IS MY CONVICTION THAT THW SOLUTION THE GOVERNMENT HAS
CHOSEN IS THE ONE WHICH IS MOST COMPATABLE WITH THE VARYING
CONSIDERATIONS AND WHICH BEST WILL ATTEND TO OUR OVERRIDING
INTEREST IN MAINTAINING PEACE AND A LOW LEVEL OF TENSION
IN THE AREA." END TEXT.

2. IN WIDE RANGING DEBATE THE MINISTER'S STATEMENT ON
SVALBARD DID NOT STIR HEAVY COMMENT, BUT IT DID WIN THE
BROAD GENERAL SUPPORT OF THE LEGISLATORS. DEBATE KEYNOTE
SPEAKER AND FOREIGN AFFAIRS COMMITTEE CHAIRMAN OFTEDAL
(LABOR) SAID HE IS CONVINCED THAT GON HAS EVALUATED ALL
SIDES OF THE CASE AND THE PROVISIONAL FISHERY ZONE WILL
NOT WEAKEN NORWAY'S SVALBARD CONTINENTAL SHELF POSITION.
HE SAID THE ACTION IS NECESSARY TO PROTECT SVALBARD FISH
STOCKS. CHRISTIAN PEOPLE'S PARTY LEADER AND FORMER NON-
SOCIALIST PRIME MINISTER LARS KORVALD STATED GON HAS
UNITED STORTING BEHIND IT IN NEGOTIATIONS WITH USSR AND IN
UNRESOLVED ISSUES CONCERNING SVALBARD AND BARENTS SEA.
KORVALD CHARACTERIZED SVALBARD FISHERY ZONE AS A NECESSARY
AND POSITIVE INITIATIVE WHICH DEMONSTRATES NORWAY'S DESIRE
TO PROTECT THREATENED FISHERY STOCKS.
ANDERS

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Message Attributes

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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Event:
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